

APPROVED: Summary Minutes Caltrans Native American Advisory Committee

Meeting June 8, 2000

Present:

Committee Members: Jack Biondini for Duane Sherman, Harold Dixon, Randolph Feliz, Evertt Freeman, Jack Musick, Benjamin Magante, Earl Green, Dave Nenna, Albert Phoenix, Lorenda Sanchez, Ben Scerato, Garth Sundberg, Bo Mazzetti, Kathy Wallace and Joseph Myers.

Absent:

Committee Members: Vlayn McCovey, Mary Ann Andreas and Dore Bietz.

Visitors: Teresa Dixon Alternate, Ted Sanchez Alternate, Dwight Stillwell and Harry Khani.

Caltrans Staff: Allan Hendrix, Joan Sollenberger, Sharon Scherzinger, Susan Massey, Tina Biorn, Kathleen Sartorius, Karen Nissen, Lorn ElkRobe, Cynthia Gomez and Robert McKay.

Meeting commenced at 9:30 a.m.

A motion was made by Mr. Magante, seconded by Mr. Mazzetti to approve the agenda.

- A motion was made by Mr. Magante, seconded by Ms. Wallace to approve the minutes as amended. The amendments are as follows.
- In Ms. Nissen's report, the second bullet should read Dean Briggs instead of Bart Bohn.
- In Mr. ElkRobe's report, the third bullet should read the Disadvantage Business Enterprises (DBE) are working in cooperation with the Small Business Administration on the establishment of Tribal Information Centers.

Caltrans Staff Reports:

Ms. Massey from the maintenance program reported on the following.

- Mr. Orcutt's program completed the GIS maps for the NAAC's review and comment. Ms. Massey distributed maps of each of the districts. The maps include the SHOPP and STIP projects that could affect the tribes. Each map will have the project start date, size, and location of each Reservation or Rancheria in the district. Ms. Massey directed changes be sent to Mr. Orcutt's office. Mr. Orcutt is also the contact for additional information. A map was displayed at the meeting

for comment or additional changes. Request to change or correct the maps should be directed to Ms. Massey from the Caltrans Maintenance Program.

- Ms. Sollenberger suggested that any questions concerning project start dates be addressed to the districts. The GIS maps are a good resource and will alert tribes of projects that are planned around their lands.

Mr. Hendrix reported on the following.

- The Caltrans Director, Mr. Medina has been reassigned and Governor Davis has appointed Mr. Morales as the new Director.
- Mr. Hendrix did not get a chance to talk to Mr. Morales about the NAAC yet but with the time he has talked to him he feels Mr. Morales will have a good working relationship with the committee.
- Mr. Hendrix then announced his retirement. He will be leaving June 30, 2000. Mr. Hendrix has enjoyed working with the NAAC and hopes it will keep moving in the same manner as it has been for the last five years.
- Mr. Hendrix will always remember the time he has spent with the committee.
- Mr. Hendrix will be attending the Fourth Annual Tribal Transportation Conference.

Ms. Sollenberger reported on the California Transportation Commission (CTC) meeting in Eureka.

- The CTC made some commitments at that meeting and they are following through with them.
- The CTC, Caltrans, the tribe, BIA and the RTPA are looking into a road for the Susanville Rancheria. The commissioners will be asking the Governor to place a Native American representative on the CTC.
- The Transportation Planning Program (TPP) conducts planning academies and has created a slot for a member of the Native American community to participate. There has been tribal participation in the last two.
- Ms. Sollenberger also welcomed the new members to the committee.

Ms. Gomez highlighted accomplishments of the tribal desk.

- Ms. Gomez is working on the tribal handbook; continues to update the tribal web page; and has set up meetings with the CTC and the tribes. The final handbook will be available at the next NAAC meeting.
- The tribal handbook is almost ready for release. The delays include a letter from the new director and recommended changes.
- Ms. Gomez is working on some tribal projects to be funded by the local transportation agencies.
- Ms. Gomez is training Caltrans staff on tribal protocol and Native American issues. Ms. Gomez has been working on the tribal protocol since the last meeting of the NAAC. She has received some good information from Ms. Sartorius that

she would like to incorporate into the protocol statement and has asked for a couple of volunteers from the committee to work with her.

- Ms. Gomez has been working with the tribes, RTPAs and the districts on specific issues (i.e. interchanges, maintenance and encroachment permits).
- Ms. Gomez reported on a project located in Santa Rosa and Morongo that may be on next years STIP.
- Mr. Scerato asked for an update on the person that the tribes recommended to sit on the CTC board. It was explained that the CTC and staff does not have the authority to place a person on the board. It is the governor's responsibility to appoint board members. Although Ms. McCovey received many letters of endorsement from the tribes, she will need to submit an application to the Governor's Office.

Ms. Biorn reported on the following.

- There have been three environmental planning academies so far. The academies run for two weeks - one week at a time. Once we get most of the Caltrans new hires through the academy, spots will set aside for the NAAC members.
- Ms. Biorn attended a Cultural Resources workshop which addressed Native American issues. Ms. Nissen sat on the panel with Ms. Biorn and others.
- The other was a workshop for environmental staff and managers. Ms. Biorn gave a presentation on cultural resources and the environmental program working with tribal governments. Ms. Gomez gave a presentation on the role Caltrans plays when working with tribes on government-to-government relations.
- Mr. Myers wanted to know what kind of things were learned from the environmental academy. Ms. Biorn explained the first week is spent learning programming, planning, STIPs and SHOPP. The second week is spent studying specialties like cultural resources, hazardous waste, biological resources, and environmental laws.

Ms. Nissen reported on the following.

- Ms. Nissen attended a Bureau of Land Management workshop on information sharing, tribal background education and the anthropology of California Indians.
- Ms. Nissen attended a cross cultural communication workshop given by the Indian Dispute Resolution Services Inc. and suggested Caltrans consider getting this for the committee.
- Ms. Nissen attended the Peace and Dignity Journey 2000 organizational meeting.
- Ms. Nissen suggested Caltrans publish a pamphlet similar to the Forest Service pamphlet which shows the tribal involvement and compliance with SB 1308.

Ms. Sartorius reported on the following.

- If you have any questions for Ms. Sartorius, she will give you all the assistance she can and if she can not answer your questions now she will try to point you in the right direction.

- Tribal bids for gravel and that tribes do not need a smara # to bid, but information like this should be sent to all Caltrans districts.
- Ms. Sartorius distributed the Karuk's MOU and gave some of the background that led to getting it signed.
- Ms. Sartorius attended the California Indian Forest and Fire Management Council meeting. One of the topics of discussion was managing vegetation control in Caltrans right of way to enhance growth of basket making materials.
- Blue Lake Rancheria is trying to get a seat on the local planning council but they are having a hard time. They might need to try to get legislation passed allowing them a seat on the regional transportation planning agency board.
- Meeting in District 2. Topics discussed were Planning and TERO. The tribes wanted to know how they could get their roads put into the regional transportation plan. What would they need to do to get involved in the districts maintenance planning concerning roads on or leading to the reservation or rancheria? The same with the county roads.
- District 2 is developing a tribal handbook
- Establish a better dialogue between the tribes and Caltrans.

Mr. ElkRobe reported on the following.

- There have been two TERO workshops. The first workshop was held in Bishop and the second in Ukiah. Mr. ElkRobe is trying to set up one in southern California.
- Disadvantaged Business Enterprise will be a meeting on the 19th to discuss the unified certification process. Caltrans will have a unified process for certifying disadvantaged business enterprises by 2002. Within that process we should try to get a peace put in there for tribal businesses to be certified there is nothing in there now.
- The Small Business Administration is working with the California Indian Manpower Consortium and the California Rural Indian Health Board to develop a Tribal Business Information Center.
- The policy statement is still in legal. We do not know when it will be released so we can present it to the committee for final approval.

Election of officers:

Nominations were taken for the position of Chairperson.

Mr. Mazzetti nominated Mr. Scerato. Mr. Sundberg nominated Ms. Bietz. Ms. Sanchez moved to close the nominations. The first vote ended in a tie and a revote was taken. Mr. Scerato was elected Chairperson in a 9 to 5 vote.

Nominations were taken for the position of Vice Chairperson.

Mr. Scerato nominated Mr. Mazzetti. Mr. Musick nominated Mr. Nenna. Mr. Green moved to close the nominations. Mr. Magante seconded the nomination. Mr. Mazzetti was elected Vice Chairperson in a 9 to 5 vote.

Nominations were open for Secretary.

Mr. Mazzetti nominated Mr. Nenna. Mr. Magante moved to close the nominations. Mr. Myers seconded the motion. Mr. Nenna was elected Secretary without opposition.

Mr. McKay gave a brief overview of the history of the NAAC highlighting some of the accomplishments and issues. Ms. Sollenberger spoke on the issue of tribes finding it hard to gain a seat on the local planning boards. There is just a certain amount of money each agency receives and wants to keep the money for the members it now serves. Adding more service area will cut into the projects it now has.

Ms. Sollenberger reported on the following items.

- Caltrans will work with all governments including tribes.
- The NAAC purpose: To improve government-to-government relationships between tribes and Caltrans.
- The NAAC has authority to make recommendations but not policy.
- Mr. Magante asked why it is so difficult to get the tribes a seat on the local RTPAs. Ms. Sollenberger explained the need to identify the tribal needs and to get included in the local planning agency's 20 year plan. The 20 year plan is updated every two to three years.
- The GIS maps distributed earlier contained a few mistakes but had a lot of good information. Send corrections to Mr. Orcutt's program.
- Duty of the Tribal Desk: There are two positions making up the tribal desk (Ms. Gomez and Mr. McKay) and their primary duties are to provide staff support for the NAAC.
- Goal setting: The committee needs to prioritize the goals from the last meeting. The committee also needs to set new goals.
- Dates for next years meetings were set: The first meeting will be August 3, 2000 at the Jackson Rancheria. The second meeting will be November 9, 2000 at the Woodland Training Center. The third meeting will be February 1, 2001. The fourth meeting will be May 3, 2001.

Mr. Mazzetti reported on the following items .

- Reservation Transportation Authorities and how Native Americans can go about getting a tribal RTA.
- Building a good working relationship with the CTC.
- Surplus equipment: The need to follow up on the Tribes need of surplus equipment. How can the Tribes receive surplus equipment? What needs to be done to make this possible?

Ms. Scherzinger reviewed the NAAC priorities from the last meeting and asked the committee in what order they should they be placed.

Priorities:

- Priority number one: Obtain more funding for tribal projects.
- Priority number two: Communication between the tribes, Caltrans, BIA, RTPAs, and all other parties that the tribes deal with.
- Priority number three: Tribal government participation with the MPOs/RTPAs.
- Priority number four: Training for the tribes, Caltrans, RTPAs.
- Priority number five: Employment.

Discussion Issues:

- Tribal involvement with MPO's/RTPA's - how can the tribes become more involved with the local agencies and how can the tribes be included in the decision making process?
- Should the tribes pursue starting a tribal MPO/RTPA and should Caltrans do research on how it would/could affect the tribes?
- Mr. Scerato said that the southern California Tribes would rather go directly to Washington D. C. to receive tribal transportation dollars.
- Training Academy - Caltrans and the BIA should get together and put on a training academy.
- Mr. Musick said that the tribes should be trained on TERO because the tribes do not know what should go in them.
- A copy of the existing TERO's will be available for any tribe or person requesting them.
- TERO permits - Ms. Sartorius will make available to the NAAC copies of the permits needed.
- Mr. Mazzetti said there should be a person from Caltrans to monitor contracts from the BIA and any contracts using federal aid dollars.
- Ms. Nissen will send committee members the letter from the Santa Rosa Rancheria.
- Employment and tribal business.
- Follow up on local assistance.
- Ms. Nissen said she would work on getting training for equipment operators.

Other reports:

Mr. Mazzetti distributed a letter that the Reservation Transportation Authority received from the BIA. The BIA has 18.3 million dollars for the tribes to use for transportation planning. Very little money will be coming into California if the BIA grants the money the way it plans to at the present time. The RTA is asking tribes from California to join in with them to file an injunction to stop the BIA from granting the 18.3 million. The RTA is asking the tribes to help offset the cost by donating what ever the tribes can afford.

Ms. Gomez said that the signage policy has been changed to include signs for tribes. Now tribes could place signs on public highways showing the names and the mileage to their rancherias and reservations.

Mr. Nenna reported on the Tule River Aviation factory and the hard times they went through to get the factory off the ground. But now it is a success and the tribes could use it as an example.

Mr. Feliz reported on the Negotiated Rule Making Committee (Neg Reg) and when the Neg Reg committee will be ready to wrap up the recommendation process. Some time in September the Neg Reg committee will complete the first stage.

Mr. Magante moved to adjourn. Mr. Sanchez seconded meeting adjourned.

Follow up items:

- Ms. Nissen - Letter from Santa Rosa Rancheria.
- Ms. Sartorius - MOU's be made available to NAAC members.
- Ms. Gomez - Tribal Handbook and Tribal Training Academy.
- Mr. ElkRobe - Indian Policy.